

the idea of going to Cuba, and having enough time to go elsewhere, it is plausible that either Oswald or an Oswald imposter made a return trip to Stanley, which was still in an oil boom. It of course is also plausible that the two Oswald-like sightings are sightings of two completely different persons.

Since the name Lee is pretty common in the South (Even Lee Harvey Oswald was named after Robert E. Lee), a person who was a Southerner named Lee could well have been in Stanley, ND who was about Oswald's age. The more intriguing aspect is that he was the same height and weight and closely resembled Oswald in looks. Thus we would conclude that an Oswald look-alike was in Stanley in the summer of 1956 (or 1955), who was very suspicious in behavior, with no visible means of support, and who said he was hired by the government to seek persons to go to Cuba. These descriptions might very well fit what we might have expected Oswald to do in the summer of 1956, shortly before he joined the Marines. We would conclude that a person who looked like and acted like Oswald and called himself Lee was in Stanley, ND in the summer of 1956. There are a large number of coincidences here. If it wasn't Oswald, it was an Oswald double. If it was an Oswald double, it seems most unlikely that this resemblance would be entirely innocent.

References

1. Interviews of Mrs. Arlene Clark, Mountrail County Historical Society, by John Williams and Gary Severson, 8/2/99 & 8/3/99.
2. Interview of Lyle Aho by John Williams and Gary Severson, 8/3/99.
3. Interview of Lyle Aho by John Williams, 8/8/99.
4. Interview of Lyle Aho by John Williams, Gary Severson, & Jole Williams 8/14/99.
5. Groden, R.J. (1995). *The Search for Lee Harvey Oswald*. New York: Penguin Books.
6. Ibid.
7. Ibid.
8. Ibid.
9. Ibid.
10. Robertson, J. (1999). *Denial #2. Volume Two. The John Armstrong Research*. Lafayette, IN: Author.

11. Interview of Vern Buehler by Gary Severson, 9/21/99.
12. Youngblood, J. & Moore, R. (1960). *The Devil to Pay*. New York: Coward McCann.

SPURIOUS RADIO TRANSMISSIONS

by
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Certain entries in the Dallas police radio log may have been contrivances designed to create untrue impressions of the facts of the case. Two such entries will be discussed in this article (1) a transmission at 12:36 PM by Sergeant D.V. Harkness, indicating that a witness had seen shots from the Texas School Book Depository; and (2) transmissions by police Inspector Herbert Sawyer leading to the dispatch at 12:45 PM of the first police description of the "suspect" in the case. A perusal of the evidence will suggest that these are both fabrications, for purposes to be indicated.

The 12:36 message

Since the initial impression of most witnesses at Dealey Plaza was that the shots at the motorcade had come from in front of the motorcade, how did police attention come to be focussed on the Texas School Book Depository, to the rear of the presidential limousine? The Warren Report (p. 64) attributes this focus on the TSBD to the statements of a 15-year-old black male, Amos Euins, a bystander in the Plaza who supposedly reported his observation to Sergeant D.V. Harkness, in charge of traffic control at Elm and Houston. Based on Euins' statements, according to the Report, Harkness radioed headquarters at 12:36 PM: "Witness says shots came from fifth floor, Texas School Book Depository store at Houston and Elm. I have him with me right now and we are sealing off the building." [1] Actually, Euins had told Harkness they came from the floor "under the ledge" (which is the

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sixth floor) and Harkness said he erred in his "hasty count" of the floors. [2]

Apart from the question why the police did not immediately proceed to the indicated location, rather than stumbling across the "sniper's nest" at 1:12 PM, the perusal of the testimony of Harkness, Euins and other police and civilian witnesses disclose discrepancies which indicate that it was unlikely that Sergeant Harkness made any such call at 12:36 PM.

Harkness testified [3] that, when he heard the first shot, he saw the President's car come almost to a halt. He said he went back to the intersection to get his three wheeler motorcycle. He said he then went west of Elm Street to observe the area between the railroad tracks and Industrial. Harkness told Counsel Belin that some person whom he could not identify said the shots were coming from a point in front of the cars; he told Belin he did not remember what the person said to indicate that. He apparently did not see anything suspicious and went on to Industrial to see if he could see anyone fleeing the area. He told Belin he did not see anyone, so he came back to the front of the Depository and went around to "this fence that was across the street from Elm Street to the Plaza area." (Actually, as Harkness made clear to Belin, he was referring to the parking area near the railroad tracks.) Harkness told Belin that, while he was there, he found Amos Euins who told him the shots came from the Book Depository building. Euins testified that he was in the area of the railroad car park when he spoke to an old policeman. [4] Euins can be seen in a Jim Murray photo on page 494 of Trask's book, Pictures of the Pain. [5] There is no sign of Harkness in this photo.

Harkness told Belin that he went into the crowd and asked did anyone see any place where the shots came from. [6] Harkness said a man pointed to Euins and said, "This boy here saw it, saw where the shots came from." Harkness said he spoke to Euins and wrote down his name and address and put this information on the radio. He said he put Euins on the back of his three wheel motorcycle and put him in Inspector Sawyer's car in front of the Book Depository.

Harkness told Belin that he told Sawyer that he had a witness in Sawyer's car who said the shots came

from the Book Depository. Harkness testified that, at this stage, the building had been sealed off. He said that Inspector Sawyer was at the front of the building with two officers but he did not know if people were being stopped from going in or out. [7] It is interesting to note that Inspector Sawyer in his testimony [8] on page 320 stated that, when he arrived at the Book Depository, "the sergeant" told him he had the building sealed off. It would seem that this sergeant was Sgt. Harkness.

Harkness alleges he told Sawyer he had a witness in Sawyer's car who saw the shots come from the TSBD's fifth floor window, yet Sawyer in his testimony does not mention Harkness having told him he had a witness who saw the shooting, even though Sawyer refers to Sgt. Harkness several times. [9] Harkness said he stayed at the rear of the building until a squad arrived and Inspector Sawyer told him to go and search the freight trains in the railyard. [10] This direction does not appear to be rational in view of Harkness' statement that he told Sawyer the witness said the shots came from the fifth floor of the building.

Looking at the testimony of Amos Euins [11], he gives a different version of his meeting with Sgt. Harkness. Euins testified that he was standing in front of the North reflecting pool opposite the front entrance of the TSBD on Elm Street; however, Euins is not shown in any of the photos that day nor is he shown in the Zapruder film. Euins said he waved to the President as he passed; he told counsel that there was hardly anyone on the corner but him. This information was of course incorrect as all the photographic evidence shows the corner crowded with spectators.

After the shooting, according to Euins, he ran to an old policeman and told him what he had seen. This means that Euins would have informed the policeman about the shooting at approximately 12:32 PM; however, it would seem from the evidence given by Euins that he ran up to the old policeman, the policeman ran up to the front of the Book Depository, apparently with Euins. Euins said the policeman called for some more cars, and they got all the way around the building. Euins said that after that the policeman saw another man who told him he saw a man run out of the back of the TSBD and the man had a kind of

bald spot on his head. Euins told Specter that he was taken to the county jail, "and that is where I told them what happened." In line with this indication that he told his story only at the county jail, Euins' statement made to the police that day makes no mention of speaking to Harkness and telling him about the shots from the TSBD [12]; this evidence did not surface until Euins gave testimony on Wednesday March 11, 1964.

There is some doubt that Euins got his facts right, partly because of evidence from photographer Jim Murray. [13] Murray parked his car on Houston Street near the rear dock of the Depository, leaving his two 35 mm cameras in the boot of his car. Murray took up a position in the corner window of the Criminal Courts building, on the ground floor on Main Street. He watched the presidential motorcade turn into Elm Street from Houston until it was out of his sight when he heard three reports which he did not recognize as gun shots. He said he saw three teenagers running up the grassy slope, but thought they had thrown firecrackers at the motorcade; he thought he would get some shots of their activities. He said he ran out of the back door of the sheriff's office to his car, and got out his cameras and put in a roll of black and white film in each camera. Murray estimated it took him about three minutes to get to his car and load his cameras.

Murray said he went to the corner of Elm and Houston near the front of the TSBD entrance. The first photo he took was of two black women holding on to each other and sobbing. He said he did not realize at this stage the President had been shot. Murray took four photos but three of them did not turn out as the camera shutter jammed. In the good photo of the two women, Howard Brennan is seen talking to Officer Barnett. [14]

Murray said he worked his way off that corner to the grassy knoll area and worked his way toward the railroad parking lot area. He took a shot of the parking lot showing the Union Terminal Railroad North Tower. He then took another shot to the rear of the North Pergola showing the metal railroad signal tower in the background; included in this photo is Amos Euins wandering around the parking lot area. [15] It is submitted that, in view of Murray's estimate of three minutes to get to his car and load his cameras, it would

not be unreasonable to suggest that another four or five minutes had passed before he took the shot showing Euins in the parking lot; therefore Euins could not have been the source of the 12:36 radio call made by Sgt. Harkness.

James Robert Underwood, Assistant News Director of KRLD-TV, Dallas, testified that he was in the third car behind the President in the motorcade. [16] He said his camera was not working and, as the car travelled halfway along Houston Street, he heard the first shot; he said he thought it was an explosion, as it did not sound like a rifle. Underwood said they were at the intersection of Houston and Elm Streets when he heard the second and then the third shots. He realized the shots were coming from overhead from the Book Depository.

Underwood said the car stopped at the intersection and he jumped out and ran back along Houston Street to the corner of Main where he met his colleague Sanderson just around the corner on Main Street. He said he grabbed Sanderson's camera and ran back along Houston Street to Elm Street. He said he saw people running up the grassy slope to the railroad yard behind the Depository. He said he ran up to the railroad area and took some films and then returned to the front of the TSBD because he believed the shots had come from there. He said he began filming for the next ten minutes. Underwood said when he got to the Book Depository there was one police officer there with a three-wheel motorcycle; he said there was a coloured boy telling the officer he had seen a coloured man leaning out of the window upstairs and he had a rifle. Underwood said the officer took him and put him in the squad car. Underwood said he went over to the car, asked the boy if he had seen someone with a rifle, and he said "Yes Sir." I said "Were they white or black?" and he said "It was a coloured man." I said "Are you sure it was a coloured man?" He said "Yes Sir." I asked him his name and the only thing I could understand was that I thought his name was Eunice. Counsel Bell did not consider it worthwhile to question Underwood further about the coloured man with a rifle upstairs in the Depository.

In view of the time lapse it took for Underwood to leave the car at the intersection of Elm and Houston,

proceed back to Main and return to Elm Street, proceed to the rail yard, take film there and then go to the front of the Book Depository, it is submitted that Underwood could not possibly have been at the Book Depository prior to 12:40 PM. The fact that Underwood witnessed Euins being placed in Inspector Sawyer's squad car indicates Euins was not the source of the 12:36 radio call.

Finally, I would suggest that it is possible that Harkness was not even the policeman to whom Euins supposedly told his story. His April 9, 1964 Warren Commission testimony notwithstanding, Harkness on July 16, 1964 wrote a letter to Chief J.H. Curry which not only fails to mention his encounter with Euins, but includes the astounding statement: "We were unable at that time to determine where the shots originated from." [17]

The 12:45 message

As the 12:36 message from Harkness was designed to explain the DPD's early focus on the TSBD, that at 12:45 provided a convenient explanation for why J.D. Tippit stopped Oswald on the street in Oak Cliff shortly before Oswald allegedly shot him. Tippit's action, says the Warren Report (p.165) was probably based on the description broadcast first at 12:45 PM and repeated at 12:48 and 12:55. And, just as in the case of Amos Euins being the supposed source of the TSBD-diverting message, the 12:45 message was "based primarily on [Howard] Brennan's observations." (Warren Report, p.144) These observations, conveyed to Inspector Sawyer, formed the basis of Sawyer's message, at 12:43 or 12:44: "the wanted person in this is a slender white male about thirty, five feet tall, one sixty five, carrying what looked to be a 30-30 or some type of Winchester." [18] This description was followed by a couple of brief references to the weapon and to the lack of a clothing description. As Sawyer himself testified [19], the 12:45 and subsequent broadcasts by the dispatcher were simply "re-broadcasts" of the information he had just sent in. The question: could Sawyer possibly have received these observations from Brennan (or anyone else) in time to make his 12:43 or 12:44 calls (call it 12:44). To answer this, we must make a careful examination of Sawyer's movements.

Inspector Sawyer testified [20] that he was in charge of crowd control on Main Street from Akard to Harwood Streets. When the motorcade passed, he went to his car which was parked at the intersection of Main and Ervay Streets. He said the crowd was so thick that it took a time to get to his car and drive very slowly down Main Street because of people crossing the road. He said he was still in his car when he heard the 12:34 radio broadcast that the shots had come from the Book Depository. Sawyer said that, when he got to the Depository, he spoke to some officers outside the building and he was told that the shots had come from the fifth floor of the Book Depository. He said he thinks he took Sgt. Harkness with him and went by elevator to the fifth floor and had a look around and made sure nobody was hiding on that floor. This entry was sometime after 12:40 PM since that was the time Sawyer made the first radio transmission from his car: a request for more manpower to be sent to the Depository. [21]

Sawyer said when he got downstairs he went to the front of the building and took two patrolmen and stationed them at the front door. One of these, Patrolman Joe Marshall Smith, did not report for duty at the Depository until approximately 12:45, [22]. It would seem that Sawyer could not be posting these patrolmen at the same time he was making a 12:44 transmission from his car; he probably was still inside the Depository at 12:44.

Corroboration for this time is supported by the testimony of police officer Marrion L. Baker, who rushed into the TSBD within a minute or two of the shooting. Baker testified [23] that he saw pigeons fly from the top of the TSBD and thought the shots may have come from that building. He found Roy Truly, the manager, inside the entrance and asked him for the way to the stairs or elevator.

For some reason, Truly took him to the service elevators instead of the one a few yards away to the right of the entrance. Baker and Truly found the elevators were stuck on the fifth floor and Truly decided to use the stairs nearby. On the second floor, Baker encountered Lee Harvey Oswald in the canteen. After establishing that Oswald worked there, they continued walking up to the fifth floor; an elevator was

available and they took it up to the seventh floor. After spending five minutes or more on the seventh floor and the roof area, Truly suggested they ought to return to the ground floor. On the way down, Baker saw Inspector Sawyer on either the fourth or third floor and stopped to tell him he had been up to the seventh floor and roof and had not seen anyone up there. [24] Truly estimated they had been between ten and fifteen minutes getting back to the ground floor. Baker said he had been in the building for about fifteen minutes when he left Truly on the ground floor. If Baker's estimate of time is correct, then Sawyer was still up on the fourth or fifth floor when Baker spoke to him at approximately 12:44 PM. It is clear from this evidence that, with Sawyer on the fifth floor, he could not have been at his car outside the Book Depository making the 12:44 PM radio call furnishing information about the shooting from the sixth floor of the Book Depository.

Apart from the timing problem, there is considerable doubt that Howard Brennan was the source of Sawyer's "information." It is true that Brennan's statement to the police on November 22 [25] refers to a physical description very close to that of the "wanted person" described in the 12:45 broadcast, Brennan even referring the person as "slender." Brennan didn't see the "wanted" person as carrying a weapon and he did furnish a vague clothing description. It seems, then, that the radio transmissions after 12:44 were "based on" information from Brennan, but they still may have been after-the-fact fabrications inserted in the record for the indicated purpose of providing an Oswald-stopping pretext for Tippit. As for Brennan having talked with Sawyer, the Inspector said the information came to him from a person he could not identify, did not know what he looked like, did not know how old he was, or how he was dressed. [26] The alleged witness, Brennan, was dressed in overalls and was wearing a building worker's helmet. It is inconceivable that an inspector of police trained to observe and report would not remember Brennan. In any event, Brennan testified that the man to whom he spoke about the shooting was Secret Service Agent Forrest Sorrels. [27] Sorrels did not get to the Book Depository until about 12:50 PM at the earliest [28];

therefore Brennan could not have been the source of Sawyer's radio call at 12:44 PM.

The Harkness call at 12:36 and that of Sawyer at 12:44 were fabrications in the police radio logs, as I trust this article has amply demonstrated.

Notes

1. Warren Commission Hearings and Exhibits, vol. 21 p. 391. References to this source cited hereafter in format 21H391.
2. 6H313.
3. 6H309.
4. 2H205.
5. Richard Trask, *Pictures of the Pain*, p. 494.
6. 6H312.
7. 6H312.
8. 6H315-324.
9. 6H315-324.
10. 6H312.
11. 2H201-209.
12. 24H207.
13. *Pictures of the Pain*, pp. 491-494.
14. *Pictures of the Pain*, p. 493.
15. *Pictures of the Pain*, p. 494.
16. 16H161-171.
17. 22H599.
18. 21H392.
19. 6H321.
20. 6H315-324.
21. 23H916.
22. 7H535,536. Stationed at Elm and Houston at the time of the shooting, Smith was told by an "hysterical woman" that the President had been shot from the bushes. He examined all bushes at the top of the knoll and looked in all cars in the parking lot. He accosted a civilian who showed him "Secret Service" credentials. He returned to the TSBD some 10-15 minutes later, probably no earlier than 12:45.
23. 3H260.
24. 3H261.
25. 24H203.
26. 6H322, 323.
27. 7H348.
28. 3H145.